

United States Bankruptcy Court  
District of South Carolina (Columbia)

Case Number: 13-00246-jw

**SETTLEMENT ORDER ON MOTON FOR RELIEF FROM AUTOMATIC STAY**

The relief set forth on the following pages, for a total of 3 Pages including this page, is hereby **ORDERED.**

United States Bankruptcy Court  
District of South Carolina (Columbia)

IN RE:

Roosevelt nm Lindler and Gwendolyn J Lindler,

Debtors

Case No.: 13-00246-jw

Chapter 13

**SETTLEMENT ORDER ON  
MOTION FOR RELIEF FROM  
AUTOMATIC STAY**

This matter comes before the Court on the motion for relief from the automatic stay filed by Nationstar Mortgage LLC ("Movant"). The Chapter 13 Trustee did not object to the motion or has agreed to the settlement. The property which is the subject of the motion is described as follows:

511 Rose Creek Ln, Columbia, SC 29229

Upon the agreement of the parties, it is hereby ORDERED:

According to the certifications of facts, the value/equity in the subject property above the movant's lien is \$0.00.

As of January 19, 2017, Debtors have accrued a post-petition arrearage in the amount of \$4,367.28. The post-petition arrearage consists of:

- ☒ Payments for the month(s) of June 1, 2016 through January 1, 2017 in the amount of \$417.92 per month, and less suspense balance in the amount of \$7.08.
- ☐ Late charges in the amount of \$0.00.
- ☒ Attorney's fees and costs in the amount of \$1,031.00.
- ☐ Other costs (specify below) in the amount of \$0.00.

Debtors shall continue to remit to Movant the regular post-petition monthly payments beginning February 1, 2017, and continuing thereafter in accordance with the terms of the loan agreement and the chapter 13 plan.

In addition to the regular post-petition monthly payments set forth above, Debtors shall cure the post-petition arrearage of \$4,367.28 as follows:

- ☐ Pay initial payment of 0.00 by Initial Payment Due Date, 20\_\_.
- ☒ Pay \$363.94 per month beginning February 15, 2017 for # 11 months.
- ☐ Pay final payment of \$363.94 by January 15, 2018.

Failure to make a payment within 20 days from its due date shall be considered a default under the terms of this settlement order.

Payments shall be paid directly to Movant at:

**Nationstar Mortgage LLC  
PO Box 619094  
Dallas, TX 75261-9741**

In the event of a default under the terms of this Order, relief from stay may be provided without further hearing upon the filing of an affidavit of default by Movant and the entry of the proposed order by the Court. Movant may then proceed with its state court remedies against the property, including sending any required notice to

Debtors. This *ex parte* relief provision of this Order shall expire and no longer be effective 12 months from the expiration of the cure period set forth above.

Movant agrees to waive any claim arising under 11 U.S.C. § 503(b) or § 507(b) as a result of this Order. In the event relief from the automatic stay is granted due to Debtor's default under the terms of this Settlement Order, Movant agrees that any funds received in excess of all liens, costs, and expenses will be paid to the Trustee.

The parties agree that the Fed. R. Bankr. P. 4001(a)(3) stay:

- ☐ is applicable to any order granting relief for default on this Settlement Order.
- ☒ is not applicable to any order granting relief for default on this Settlement Order.

**NON-STANDARD LANGUAGE**  
**(Hearing May Be Required for Approval)**

**AND IT IS SO ORDERED.**

**WE SO MOVE AND CONSENT:**

/s/Louise M. Johnson  
Attorney for Movant  
District Court I.D. 7509

/s/Daniel A. Stone  
Attorney for Debtors  
District Court I.D. 8807

**CERTIFICATION:**

Prior to consenting to this settlement order, the payment obligations set forth in this Order, including the amounts, method, and timing of payments, and consequences of default were reviewed with and agreed to by the Debtor or Debtors or the party obligated to pay.

/s/Daniel A. Stone  
Attorney for Debtor or Debtors  
District Court I.D. 8807